

**REMARKS**

By this amendment, claims 16, 44-46 and 49-51 have been cancelled. Therefore, on entering this amendment, claims 1-15 and 40-43, 47, 48 and 52 are all the claims pending in the application.

Claims 40, 44-46 and 49 are rejected under 35 U.S.C. § 102(b) as being anticipated by Miura et al. (U.S. Patent No. 5,988,782).

Claims 1-8, 12-16, and 49-52 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Numata et al. (U.S. Patent No. 5,625,384) in view of Miura et al. (U.S. Patent No. 5,988,782).

Claims 9-11, 47 and 48 have been found to be allowable if placed in independent for.

The Applicant traverses the rejections and request reconsideration.

***Prior Art Rejections***

**Rejection of claims 40, 44-46 and 49**

The above claims have been deleted rendering their rejection moot.

**Rejection of claims 1-8, 12-16, and 49-52 under section 103 based on Numata and Miura**

Claims 49-51 have been deleted, rendering their rejection moot.

Claim 1 (as amended) requires *inter alia* a liquid jetting apparatus that includes a container-setting portion at which a liquid container is set. The liquid container has a liquid chamber that contains liquid and a second liquid chamber that contains a second liquid. The second liquid is different from the liquid. Further, the liquid jetting apparatus includes a liquid discharging controller

that can control the liquid discharging unit based on information about sedimentation-property of the liquid in the liquid chamber and information about sedimentation-state of the liquid in the liquid chamber. It can further control the second liquid discharging unit based on information about sedimentation-property of the second liquid in the second liquid chamber and information about sedimentation-state of the second liquid in the second liquid chamber.

Likewise, claim 52 requires *inter alia* a liquid jetting apparatus that includes a container-setting portion at which a liquid container is set. The liquid container includes a liquid chamber that contains liquid and a second liquid chamber that contains a second liquid. The second liquid is different from the liquid. Further, the liquid jetting apparatus includes a liquid discharging controller that can control the liquid discharging unit based on information about sedimentation-property of the liquid in the liquid chamber. Still further, the liquid discharging controller can control the second liquid discharging unit based on information about sedimentation-property of the second liquid in the second liquid chamber.

The above discussed features provide significant advantages to the present invention. Significantly, a suitable liquid discharging operation can be conducted for each of the liquid and the second liquid, independently.

The combined teachings of Numata and Miura do not suggest the combination of features recited in claim 1 and 52 including the features discussed above. In Miura, as the Examiner asserts, the printing is controlled based on the comparison of an elapsed time T1 with a predetermine time period T0. The elapsed time T1 is a period of time from the previous stirring to the present time (considered as sedimentation-state). The predetermined time period T0 is determined to be a period in which sedimentation of ink will not cause significant problem and substantially determined

depending upon characteristics on inks. Therefore the Examiner alleges that T0 is a sedimentation property.

In Miura, the inks are characterized as “reactive dye ink” and “disperse dye ink.” However, there is no suggestions for respective color inks related to the reactive dye ink or the disperse dye ink. Furthermore, as clearly seen from the specification of Miura et al., **the reactive dye ink and the disperse dye ink are not used at the same time.** In other words, the reactive dye ink and the disperse dye ink are not contained in the same liquid container. Therefore, Miura et al. doesn’t suggest the above features of the present invention.

Likewise, Numata does not suggest the above discussed features of the present invention. A skilled artisan would not have been able to make the present invention as recited in claims 1 and 52 from the combined teachings of Miura and Numata.

Claims 2-8 and 12-16 are dependant on claim 1 and therefore should be allowed at least for the same reasons.

### ***Conclusion***

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment under 37 C.F.R. § 1.111  
U.S. Application No.: 10/073,347

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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